

IN RE: PETITION FOR ADMINISTRATIVE * BEFORE THE
ZONING VARIANCE
N/S Merle Drive, 106 ft. (+/-) * ZONING COMMISSIONER
S of c/l Milbury Road
3429 Merle Drive * OF BALTIMORE COUNTY
2nd Election District
2nd Councilmanic District * Case No. 97-96-A
Major Evans, Jr., et ux
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Major Evans, Jr., and Julia Evans, his wife, for that property known as 3429 Merle Drive, in the Lynne Acres subdivision of Baltimore County. The Petitioners herein seek a variance from Sections 1B02.3.B and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a carport within 2 ft. of the side lot line in lieu of the required 6 ft., in a D.R.5.5 zone. The subject property and requested relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

ORDER RECEIVED FOR FILING

Date

By

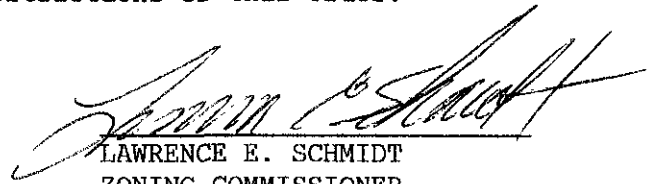
MICROFILMED

upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of September, 1996 that the Petition for a Zoning Variance from Sections 1B02.3.B and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a carport within 2 ft. of the side lot line in lieu of the required 6 ft., in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmn

ORDER RECEIVED FOR FILING
Date 9/26/96
By M. G. H. H.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 25, 1996

Mr. and Mrs. Major Evans, Jr.
3429 Merle Drive
Baltimore, Maryland 21244

RE: Petition for Administrative Variance
Case No. 97-96-A
Property: 3429 Merle Drive

Dear Mr. and Mrs. Evans:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

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Petition for Administrative Variance

97-96-A

to the Zoning Commissioner of Baltimore County

for the property located at 3429 Merle Drive

which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B. & 301.1A; BL2R, TO PERMIT A CARPORT WITHIN 2' OF THE SIDE LOT LINE IN LIEU OF THE REQUIRED 6'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. My property is not wide enough to build six feet from property line.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

Major Evans, Jr.

(Type or Print Name)

Signature

Julia Evans

(Type or Print Name)

Signature

3429 Merle Drive Home- 655-4789

Address

Phone No

Baltimore County, Md. 21244

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Major Evans, Jr.

Name

3429 Merle Drive Work- 889-4900

Address

Phone No.

Baltimore, Md. 21244

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

RECORDED

REVIEWED BY:

DATE:

ESTIMATED POSTING DATE:

Printed with Soybean Ink
on Recycled Paper

Zoning Commissioner of Baltimore County

ITEM #:

97

Affidavit in support of 97-96-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3429 Merle Drive
address
Baltimore County, Md. 21244
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

We would like to build an open ended attached Car Port to the left side
of property line. We wish to have the distance from the property line
waived. The neighbor who shares the property lines has no objection.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Major Evans Jr.
(signature)
Major Evans, Jr.
(type or print name)



Major Evans Jr.
(signature)
Major Evans, Jr.
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13TH day of August, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MAJOR EVANS JR & JULIA EVANS

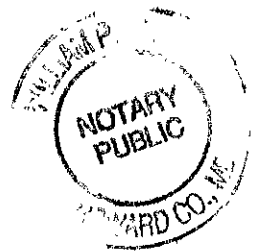
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8/13/96
date

[Signature]
NOTARY PUBLIC

My Commission Expires: 6/1/97



Affidavit in support of 97-96-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3429 Merle Drive
address
Baltimore County, Md. 21244
City State Zip Code

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We would like to build an open ended attached Car Port to the left side
of property line. We wish to have the distance from the property line
waived. The neighbor who shares the property lines has no objection.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Major Evans, Jr.
(signature)
Major Evans, Jr.
(type or print name)



Major Evans, Jr.
(signature)
Major Evans, Jr.
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 13th day of Nov, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MAJOR EVANS JR + JULIA EVANS

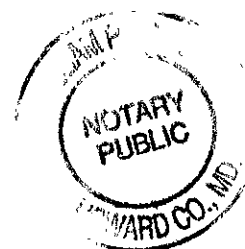
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

8/13/96
date

[Signature]
NOTARY PUBLIC

My Commission Expires: 6/1/97



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Petition for Administrative Variance

97-96-A

to the Zoning Commissioner of Baltimore County

for the property located at 3429 Merle Drive

which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B & 301.1A ; BCLER, TD

PERMIT A CARPORT WITHIN 2' OF THE SIDE LOT LINE
IN LIEU OF THE REQUIRED 6'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

MY PROPERTY IS NOT WIDE ENOUGH TO BUILD
SIX FEET FROM PROPERTY LINE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

Major Evans, Jr.

(Type or Print Name)

Signature

Julia Evans

(Type or Print Name)

Signature

3429 Merle Drive Home - 655-4789

Address

Phone No.

Baltimore County, Md. 21244

City

State

Zipcode

Name, Address and phone number of representative to be contacted. v.

Major Evans, Jr.

Name

3429 Merle Drive Work - 889-4900

Address

Phone No.

Baltimore, Md. 21244

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: W

DATE: 8-28-96

ESTIMATED POSTING DATE: 9-16-96

Printed with Soybean Ink
on Recycled Paper

ITEM #: 97

97-96-A

ZONING DESCRIPTION FOR 3429 Merle Drive
(address)

Beginning at a point on the North side of
(north, south, east or west)

Merle Drive which is 78.46'
name of street on which property fronts) (number of feet of right-of-way width)

wide at the distance of 106.06' South of the
(number of feet) (north, south, east or west)

center line of the nearest improved intersecting street Milbury Rd.
(name of street)

which is 78.46' wide. *Being Lot # 33
(number of feet of right-of-way width)

Block 34, Section # 5 in the subdivision of Lynne Acres
(name of subdivision)

as recorded in Baltimore County Plat Book # 61 b No. 24, Folio # 97

containing 13,071, Also known as 3429 Merle Dr.
(square feet of acres) (property address)

and located in the 02 Election District, 7 Councilmanic District.

97

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Date of Posting 9-6-96

District 2

Posted for: _____

Petitioner: 3429 Merlele Dr.

Location of property: _____

Front Yard

Location of Sign: _____

Date of return: _____

Remarks: Match Sign

Signature

Posted by _____

Number of Signs: _____

Number: 97-96-A (Item 97)

CASE NUMBER: 97-96-A (Item 97)
3429 Merlele Drive, 106' +/- S of c/l Milbury Road
N/S Merlele Drive, 106' +/- S of c/l Councilmanic
N/S Merlele Drive, 106' +/- S of c/l Councilmanic
2nd Election District - 7th Councilmanic
Legal Owner(s): Major Evans, Jr. and Julia Evans

Administrative Variance to permit a carport within 2 feet of the side lot line in lieu of the required 6 feet.

Post by 9-6-96



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

97-96-A

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 97 Petitioner: Major Evans, Jr.

Location: 3429 Merle Drive

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Major Evans, Jr.

ADDRESS: 3429 Merle Drive

Baltimore, Maryland 21244

PHONE NUMBER: (410) 655-4789

PROPERTY ADDRESS: _____

See pages 5 & 6 of the CHECKLIST for additional required information

plat book# _____, folio# _____, lot# _____, section# _____

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

97 No. 97-97
DATE 8-28-96 ACCOUNT 2001-6150
624826

DATE 0-6-50 ACCOUNT Depos-6150

RECEIVED
FROM: MAJOR EVANS JR. 3429 REALE
AMOUNT \$ 03

ADMIN VAP (010)	50.00
POSTAGE (030)	35.00
FOR:	

$$\begin{array}{r} 29 \\ + 7 \\ \hline 36 \end{array}$$

13A914012341CHRC

	DATE	TIME	LOCATION	PINK - AGENCY	WHITE - CASHIER	YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER						

73

North
date: _____
prepared by: _____
Scale of Drawing: 1"= _____

Scale of Drawing: 1"=

LOCATION INFORMATION

Vicinity Map
Scale: 1"=1000'
North

Election District:

Councilmanic District:

1"=200' scale map#

Zoning:

acreage **square feet**

SEWER: ☐ PUBLIC ☐ PRIVATE

WATER:

21 Area: ☐ yes ☐ no

Prior Zoning Hearings:

Zoning Office USE ONLY

reviewed by:	ITEM #:	CASE#:
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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 6, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-96-A (Item 97)
3429 Merele Drive
N/S Merle Drive, 106' +/- S of c/l Milbury Road
2nd Election District - ~~2nd~~ Councilmanic
Legal Owner(s): Major Evans, Jr. and Julia Evans

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before September 8, 1996. The closing date (September 23, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Major Evans, Jr. and Julia Evans

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

Mr. and Mrs. Major Evans, Jr.
3429 Merle Drive
Baltimore, MD 21244

RE: Item No.: 97
Case No.: 97-96-A
Petitioner: Major Evans, Jr., et ux

Dear Mr. and Mrs. Evans:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 28, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



J. Alexander

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: September 19, 1996

FROM: *Paul* Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for September 16, 1996
 Item Nos. 094, 096, (097), 098, & 101

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/19/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 09, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 94, 95, 96, 97, 99, 100,
101 and 102.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY PERSONNEL
RULES AND REGULATIONS
RULE 22 SICK LEAVE

REGULATION 22.04
(Continued)

- F. If an employee terminates while still carrying a negative sick leave balance, the unearned leave extension (up to a maximum of 240 hours for "40 Hours" employees or 210 Hours for "other than 40 Hours" employees) and any anticipated leave used must be paid back to the County, either in cash, as a deduction from the final paycheck or from the employee's retirement system account.
- G. All unearned sick leave shall be subject to review by the Personnel and Salary Advisory Board.

REGULATION 22.05

Classified employees with one year of continuous service shall receive an anticipated sick leave balance for the calendar year, although any overuse of this anticipated leave must be repaid to the County upon termination.

REGULATION 22.06

Part-time employees shall earn and accrue sick leave according to the following schedule:

Average Weekly Hours Monthly Earned

10-17 hours	1/3 day
18-26 hours	2/3 day
27-34 hours	1 day

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Sep 9, 91

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 9, 91

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

102

103

99

94

100

96

97

RBS:sp

BRUCE2/DEPRM/TXTSBP

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B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: September 11, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 91, 94, 95, 96, (97), and 101

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: _____

Division Chief: _____

PK/JL

August 1996	September 1996	October 1996
S M T W T F S	S M T W T F S	S M T W T F S
4 5 6 7 8 9 10	1 2 3 4 5 6 7	6 7 8 9 10 11 12
11 12 13 14 15 16 17	8 9 10 11 12 13 14	13 14 15 16 17 18 19
18 19 20 21 22 23 24	15 16 17 18 19 20 21	20 21 22 23 24 25 26
25 26 27 28 29 30 31	22 23 24 25 26 27 28	27 28 29 30 31

Monday 09/16/96 4:30p 5:30p E Bobby and Maria

Tuesday 09/17/96 8:30a 10:00a E BREADFAST W/BOB BARRETT
HILTON



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

9-10-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 097 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

MICROFILM
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

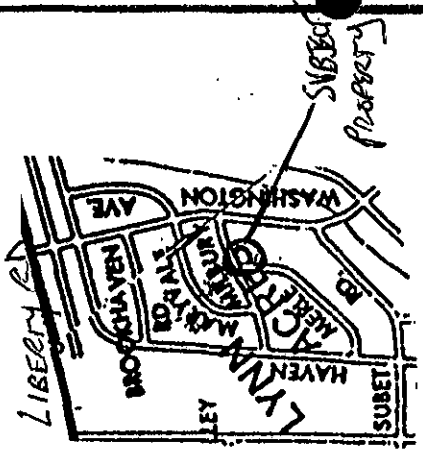
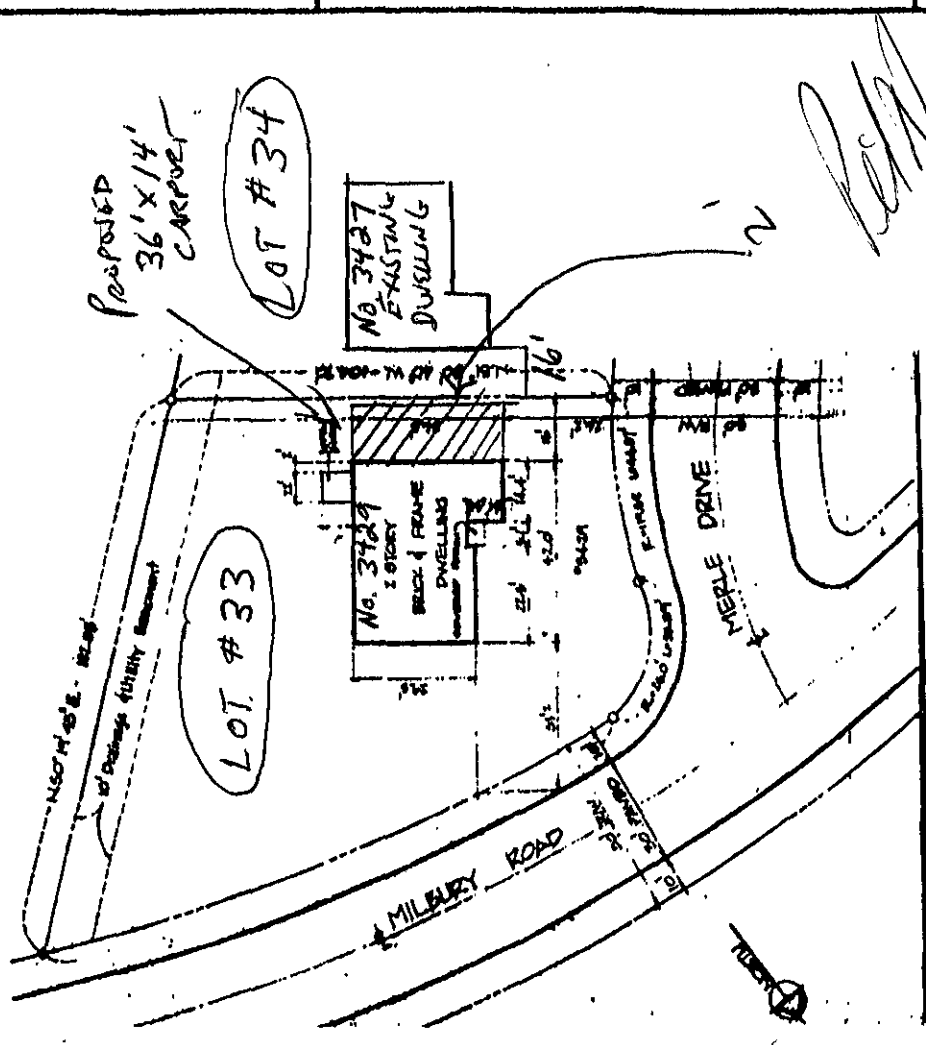
PROPERTY ADDRESS: 3429 MECE DE

Subdivision name: LYNNE ACRES

plat book # 24, folio # 97, lot # 33, section # 5

OWNER: MAJOR + JULIA EVANS

97-96-A



Vicinity Map
North
Scale: 1"=1000'

LOCATION INFORMATION

Election District: 27

Councilmanic District: NW 5-6

1"=200' scale map #: DR 5-5

Zoning: 0.30

Lot size: 13,071 square feet

public private
SEWER: ☒ ☐
WATER: ☒ ☐
Chesapeake Bay Critical Area: ☐ ☒

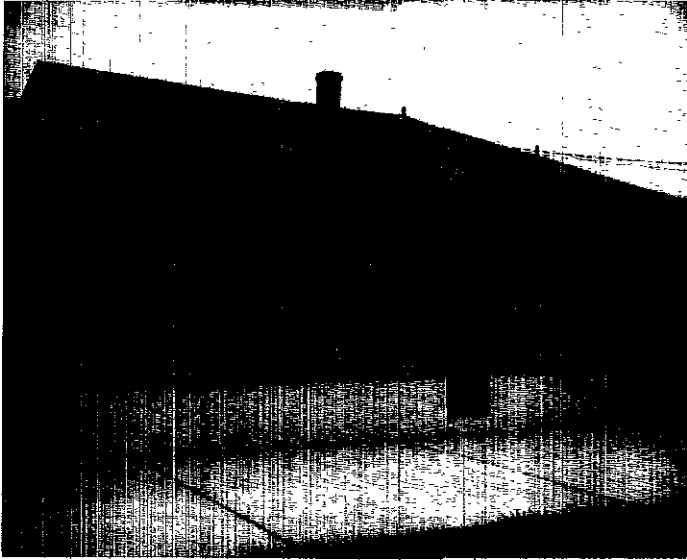
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: JWM ITEM #: 97 CASE #:

North
date: 8/27/96
prepared by: W.P.J. Scale of Drawing: 1"= 48'

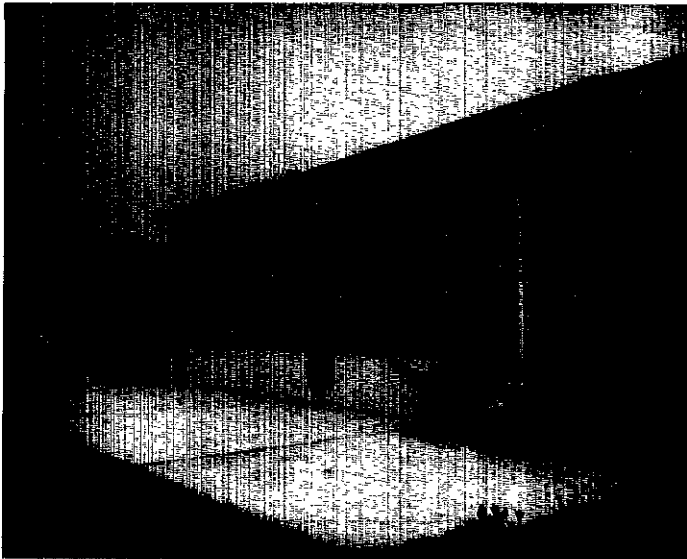
97-96-A



EVANS - RIGHT SIDE
3429 MERLE DR. 97



EVANS RIGHT SIDE
3429 MERLE DR. 97



EVANS - RIGHT SIDE
3429 MERLE DR. 97



EVANS FRONT 97
3429 MERLE DR.



EVANS REAR
3429 MERLE DR. 97



EVANS - LEFT SIDE
3429 MERLE DR. 97

EXHIBIT 4

GRANT SUMMARY - FY 96

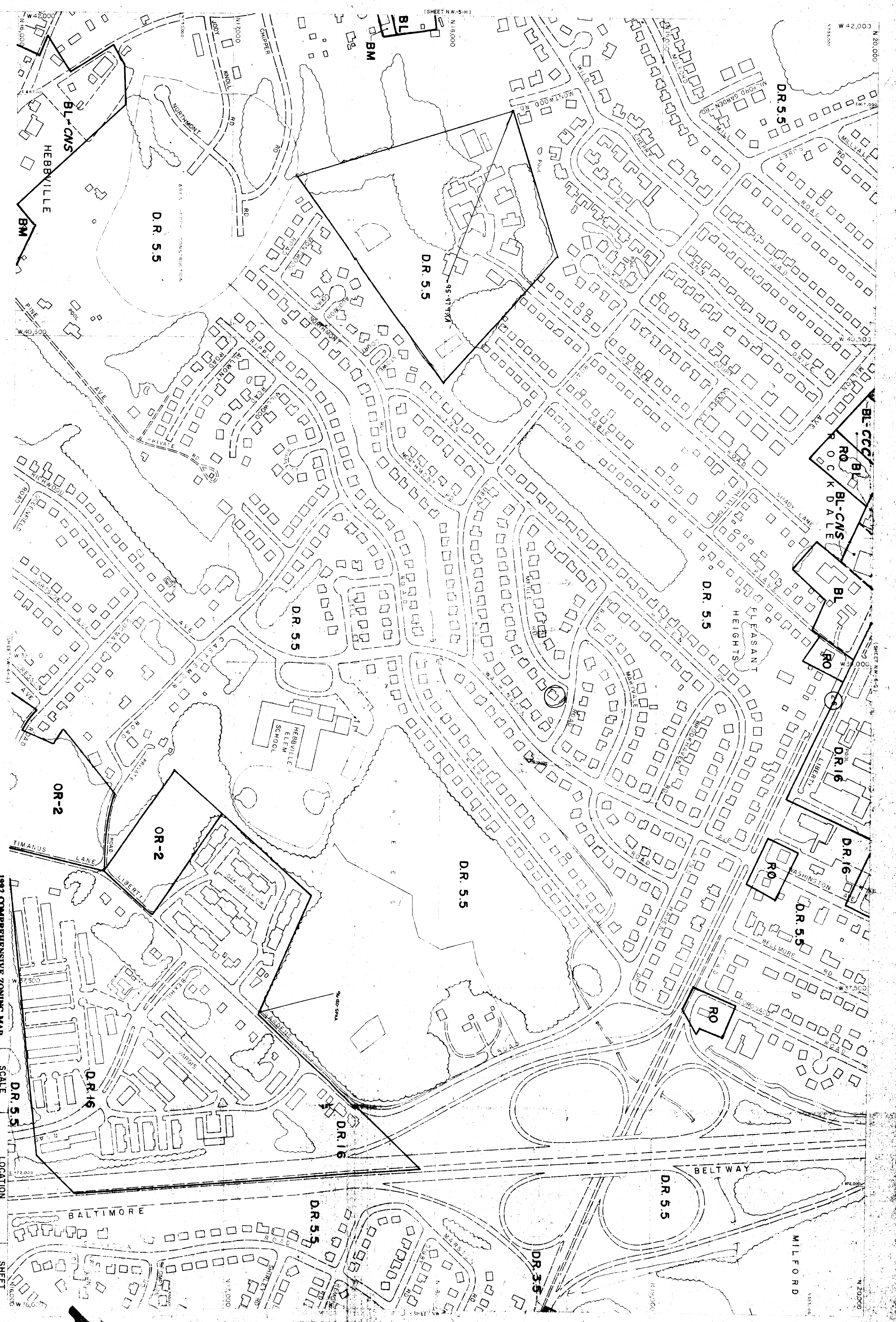
<u>Federal Grant Title</u>	<u>Federal I.D. No.</u>	<u>Grantor Agency</u>	<u>Balto. County Program</u>	<u>Direct Federal Receipts</u>	<u>Federal Pass Through Receipts</u>	<u>Other Income</u>	<u>Current Year Expenditures</u>
Lead-Based Paint Hazard Reduction Grant H146301-8-94	14.900	Department of Revenue and Development Management	005-017-1722	- 0 -	H1D thru H1CD \$54,275.00	- 0 -	\$54,725.00

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BOSTONIAN, INC. BALTIMORE, MD. 21210

**BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992
William C. Howard Jr.
 Chairman, County Council

DATE JANUARY 1986	SCALE 1" = 200'	LOCATION HEBBVILLE ROCK DALE WOODMOOR	SHEET NW 5-6
-------------------------	--------------------	--	--------------------



MICROFILMED

97-96-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

LOCATION
HEBBVILLE
ROCKDALE
WOODMOOR
MICROFILMED

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1966

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

MICROFILMED

IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE N/S Merle Drive, 106 ft. (1/-) S of c/l Milbury Road 3429 Merle Drive 2nd Election District Major Evans, Jr., et ux Petitioners

* BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 97-96-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Major Evans, Jr. and Julia Evans, his wife, for that property known as 3429 Merle Drive, in the Lynne Acres subdivision of Baltimore County. The Petitioners herein seek a variance from Sections 1802.3.B and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a carport within 2 ft. of the side lot line in lieu of the required 6 ft., in a D.R.S.5 zone. The subject property and requested relief is more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 26th day of September, 1996 that the Petition for a Zoning Variance from Sections 1802.3.B and 301.1A of the Baltimore County Zoning Regulations (BCZR) to permit a carport within 2 ft. of the side lot line in lieu of the required 6 ft., in a D.R.S.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The carport shall remain open on the three exposed sides and shall not be enclosed at any time.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

September 25, 1996

Mr. and Mrs. Major Evans, Jr.
3429 Merle Drive
Baltimore, Maryland 21244

RE: Petition for Administrative Variance
Case No. 97-96-A
Property: 3429 Merle Drive

Dear Mr. and Mrs. Evans:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
encl.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 3429 Merle Drive

which is presently zoned DRS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B & 301.1A, BCZR, to permit a carport within 2' of the side lot line in lieu of the required 6'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. My property is not wide enough to build six feet from property line.

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person(s):

Type or Print Name:

Signature:

Address:

City:

State:

Zip:

Phone:

Fax:

E-mail:

Other:

Comments:

Remarks:

Signature:

Address:

City:

State:

Zip:

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Fax:

E-mail:

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State:

Zip:



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 6, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-96-A (Item 97)
3429 Merle Drive
W/S Merle Drive, 106'4" - S of S/1 Milbury Road
2nd Election District - 2nd Councilmanic
Legal Owner(s): Major Evans, Jr. and Julia Evans

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before September 8, 1996. The closing date (September 23, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: Major Evans, Jr. and Julia Evans



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 24, 1996

Mr. and Mrs. Major Evans, Jr.
3429 Merle Drive
Baltimore, MD 21244

RE: Item No.: 97
Case No.: 97-96-A
Petitioner: Major Evans, Jr., et ux

Dear Mr. and Mrs. Evans:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 28, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

Carl Richards, Jr.
Carl Richards, Jr.
Zoning Supervisor

MCR/re
Attachment(s)

Printed with Cyanprint ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: September 19, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 16, 1996
Item Nos. 094, 096, 097, 098, & 101

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE26

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/19/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 09, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 94, 95, 96, 97, 99, 100, 101 and 102.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Cyanprint ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM DATE: Sep 9, 96
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 9, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 102 103
99 94
100
96
97

RBS:sp
BRUCE2/DEPRM/TXTSHP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management
DATE: September 11, 1996
FROM: Pat Keller, Director
Office of Planning
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):
Item Nos. 91, 94, 95, 96, 97, and 101

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey M. Long*
Division Chief: *Barry Kerns*

PK/JL

ITEM91/PZONE/TXTJWL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 97-96-A

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Plat to accompany Petition for Zoning Variance ☒ Special Hearing

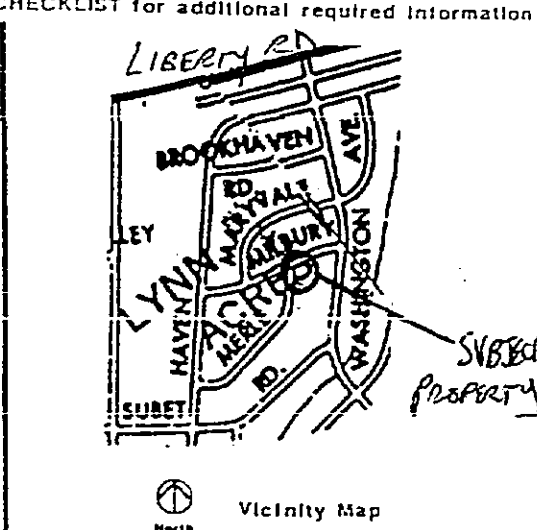
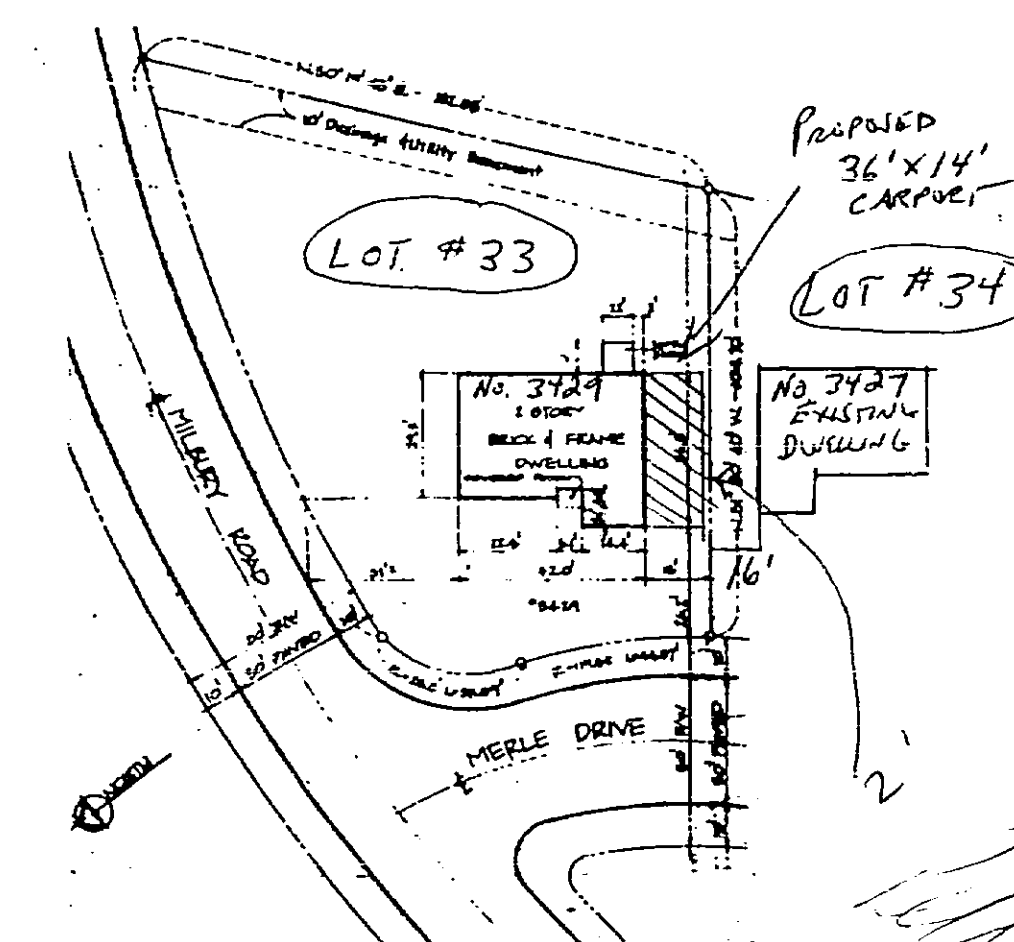
PROPERTY ADDRESS: 3429 Merle Dr. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: LYNNE ACRES

First book: 24 Volume: 27 Date: 3/88 Affiliates: 5

OWNER: MAJOR + JULIA EVANS

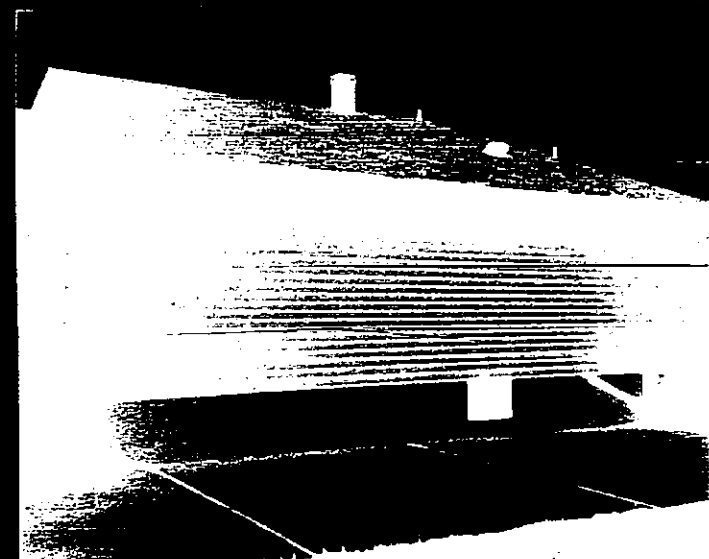
97-96-A



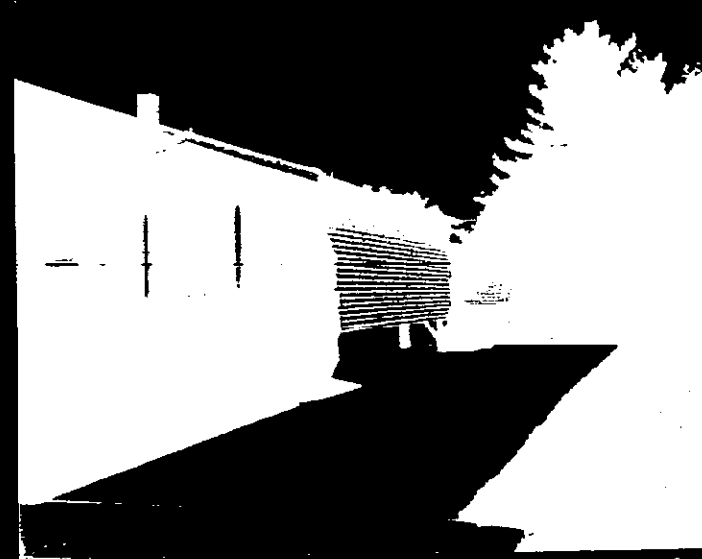
LOCATION INFORMATION
Election District: 2
Councilmanic District: 3
1"=200' scale map: NW 5-6
Zoning: DR 5.5
Lot size: 0.30 13,071
acreage square feet
SEWER: ☒
WATER: ☒
Chesapeake Bay Critical Area: ☒
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
reviewed by: W.P.J. ITEM #: 97 CASE#: _____
date: 8/23/96 prepared by: W.P.J. Scale of Drawing: 1"= 48'

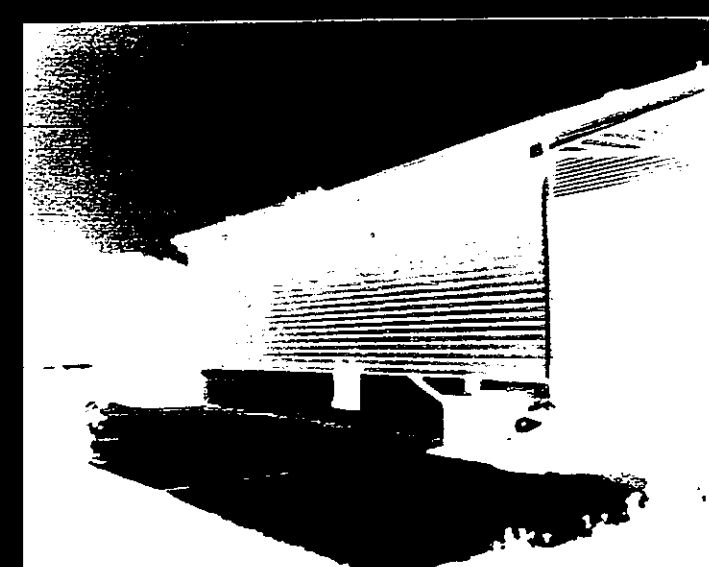
97-96-A



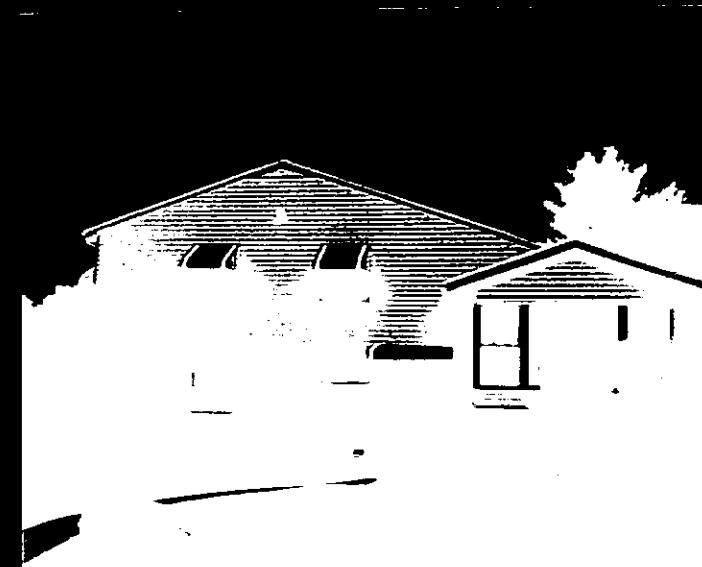
EVANS - REAR SIDE
3429 Maple Dr. 97



EVANS - REAR SIDE
3429 Maple Dr. 97



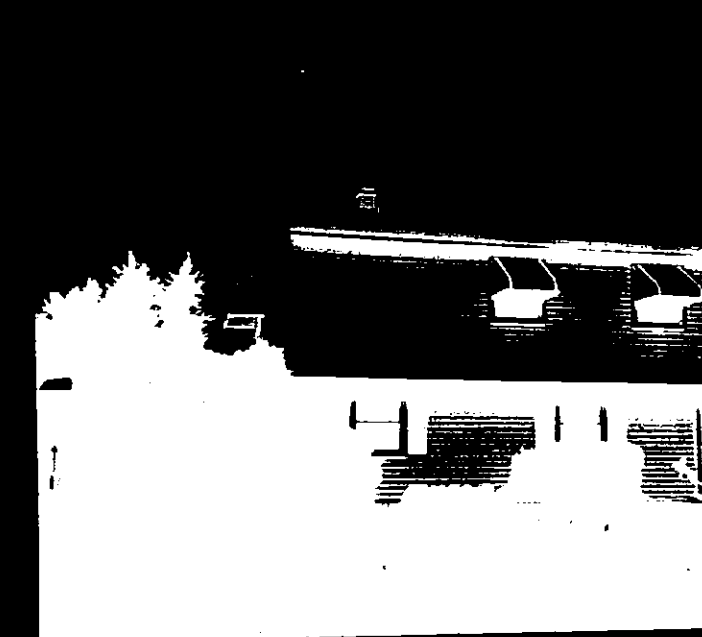
EVANS - REAR SIDE
3429 Maple Dr. 97



EVANS - FRONT
3429 Maple Dr. 97



EVANS - FRONT
3429 Maple Dr. 97



EVANS - FRONT
3429 Maple Dr. 97



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
HEBBVILLE
ROCKDALE
WOODMOOR

SHEET
N.W.
5-G

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

MURKIN